

**MINUTES OF THE COMMON COUNCIL
WORK SESSION
January 15, 2013
City Council Chambers – Rouss City Hall**

PRESENT: President Jeff Buettner; Councilor Evan Clark, John Hill, John Tagnesi, Les Veach and Ben Weber; Vice-Mayor Milt McInturff; Mayor Elizabeth Minor; Vice-President John Willingham (9)

ABSENT: None (0)

President Buettner called the meeting to order at 6:00 p.m.

Public Comments:

Patrick Farris, Chairman of the Tree Commission, expressed his concern about folding the work of the Tree Commission under the Parks and Rec Board. He stated he is of the opinion that this would not be in the best interest of the citizens or city staff and quite possibly Council and its successors. The main reason is the Tree Commission serves among other roles as the role of buffer between the citizens at large and city government. Trees are not sidewalks. They are not any other ordinary piece of public infrastructure. They are trees and as a result we have had a Tree Commission since 1966 to be able to feel the concerns of citizens when it comes to that aspect of our city streetscape. He feels that if we did away with the Tree Commission, we would do away with the ability for citizens to interact with their local government about that aspect of public infrastructure that they care about very deeply. He stated there are other smaller issues related to whether or not the Tree Commission did exist that have to do with the Arbor Day Foundation. The Arbor Day Foundation considers four very specific aspects when it concerns itself with whether or not a city is approved as a Tree City USA. One of those aspects is that a city has an arborist and/or a tree commission or tree board that is functioning. The Tree Commission predated the city hiring an arborist by decades. However, just because there is a city arborist does not mean there will always be a city arborist. Should a future council do away with the arborist, you would be in the position of not qualifying to be a Tree City and we have been such for 33 years at this point. He fears that if Winchester lost that status, it would be a loss in community pride. Winchester has not only been a Tree City for 33 years but is the second oldest community in Virginia to have that designation. In addition, this would abnegate the ability to apply for grant monies related to trees, tree plantings and infrastructure. He know Council has the authority to re-create a Tree Commission but never the less his opinion is it would be very difficult to reintroduce it in the future.

Items for Discussion:

FY 2012 CAFR presentation

Finance Director Mary Blowe introduced Billy Robinson of Brown, Edwards & Company, L.L.P. Mr. Robinson presented the highlights of the Comprehensive Annual Financial Report and reviewed the Financial Analysis Report for FY12.

City Manager Dale Iman asked Council for clarification on one of the action items in the Strategic Plan specifically the funding policy for the Schools.

Councilor Veach suggested considering applying a percentage or formula each year for the funding of Schools to eliminate the current negotiating that is done each year. He stated the percentage could be revisited each year to adjust as needed. He suggested testing the formula over what has happened in the past to see if we come up with about what we give the School Board now to see if we can go forward with it.

President Buettner asked who would be in favor of exploring further the idea of putting a fixed percentage to the School Board. *The idea was defeated 2/7 with President Buettner, Mayor Minor, Vice-President Willingham, Vice-Mayor McInturff, and Councilors Clark, Hill, and Tagnesi voting in the negative.*

Mr. Iman asked if the desire is to insure we have adequate funding to provide the level of education that we desire. President Buettner stated in his mind if Council talks about the various programs to better the community, Council needs to fund them.

Boards & Commissions

City Manager Dale Iman presented a proposal to improve the appointment process and solicitation process to get people involved in the community. He stated the proposed procedure will ensure that appointments are made in a timely fashion. Two Council members would be appointed each year to serve as liaisons to work closely with the new Assistant City Manager to gather qualified people in the community in a timely fashion. Each board and commission would have a staff liaison to work with and the staff liaison would develop a brief report to report back to Council on the highlights of each meeting. He stated as a result of a more thorough study and investigation, the reorganization of a few boards is being proposed for consideration. Also, each member of the boards will be asked to read and sign the Code of Ethics and receive an orientation as a new member so they are familiar with the operations.

Vice-Mayor McInturff stated in doing this one of the things they looked at is the ethics of the boards and commissions members. He is of the opinion that someone who sits on a board or commission should take the higher road in reference to the things they do and the comments they make so they tried to address it with the Code of Ethics. He stated it will be a slow process in reference to educating the existing members. The orientation will be set up for both the existing and new members with the help of the City Attorney and possibly one to two Council members. The orientation will be discussed during the applicant's interview so they are aware this is a responsibility of taking on this board or commission.

Vice-President Willingham stated he wanted to point out two things. First, Council members are liaisons to the boards and commissions but a lot of times we fail to point out the highlights of the meetings so we have asked for staff to give a bullet point or two of the highlights so the Council member doesn't forget to say it and so Council can read it and ask questions. It is important for Council to know what is going on in the meetings so we are not reacting to things that pop up. The second item is he feels having a formal process is critical so we can identify when a position is coming up for re-appointment, do our due diligence for people to have the opportunity to apply, and send a letter to the appointee pointing out the next steps.

Vice-Mayor McInturff stated this process falls in line with developing a high performing organization as listed in the Strategic Plan. In looking at the boards and commissions, some are required and some are there to serve as an intricate part in the city. In doing that process, the Tree Commission and Natural Resource Advisory Board rose to the top of the discussion. The Tree Commission was started in 1966 because there was no City Arborist. Sometime around 2004 to 2006, the city hired a City Arborist who is a paid professional that goes out and looks at the city's trees. He stated from his personal experience of serving on the Tree Commission, they had members that were less engaged than they could be in reference to looking at the trees so they really couldn't give a lot of good feedback from the Tree Commission stand point. Now, the arborist goes to look at the trees and the Tree Commission does not do anything except to give an opinion if asked. He stated it made good sense to him to go back to the way we used to have it and have the Tree Commission work under the Parks and Rec Board.

Vice-Mayor McInturff stated when the NRAB was developed 4 years ago, it was designed to be an advisory board at Council's will but it has created a life of its own. That life has died out and now they are down to one member. When the NRAB had a question about a year and a half ago, the NRAB went to Park Director Brad Veach to help them answer that question and do some research. He stated it makes good sense that the NRAB and the Tree Commission do their duties under the Parks and Rec Board. The city would still qualify for being a Tree City USA by having a City Arborist.

Councilor Clark expressed his concern over disbanding the NRAB and the Tree Commission. He stated he has had good experiences with both of these groups with providing him with back ground information where he did not have the expertise. We have great learned people in the community that can offer us the insight that none of us have the time or energy to pursue. He fears disbanding these organizations will lose the opportunity to gather this information at no cost to the city from the community members.

Vice-President Willingham moved to forward the recommendation to Council. *The motion was seconded by Councilor Veach then passed 8/1 with Councilor Clark voting in the negative.*

Council directed staff to begin the preparation of effectuating this report.

Monthly Reports

Fire & Rescue Department
Police Department

Councilor Veach moved to add the following motion to the agenda: Motion to re-appoint Art Major and Richard Helm as members of the Frederick Winchester Service Authority for a three (3) year term commencing February 12, 2013 and ending on February 12, 2016. *The motion was seconded by Vice-Mayor McInturff then unanimously approved by voice-vote.*

Councilor Clark moved to forward the appointments to Council. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

President Buettner stated in looking at the code as it deals with the election of officers, he asked Council if they would like to direct the City Attorney to update the code to reflect the needed changes from moving the elections to November, making the Vice-Mayor's term a two year term instead of one year, and changing the effective date of taking office to January instead of February for the Council Elected Officers. The members of Council agreed.

Mr. Williams asked for clarification on whether Council would like the mayor to be the presiding officer pro tempore in lieu of the city manager. President Buettner stated that since the mayor is the only fully elected member of the body that he/she would preside in the absence of the president.

Councilor Veach stated the School Board discussed security and the required Virginia Center for School Safety audit done every year. The board is having a study done by Weldon Cooper to look at the student population down to the neighborhoods and the population trends.

Councilor Tagnesi announced one of the Planning Commission members has been called to active duty beginning in February for 6 months. Council will need to consider a temporary replacement until he returns.

Adjourn

Vice-President Willingham moved to adjourn at 7:13 p.m. *The motion was seconded by President Buettner then unanimously approved by voice-vote.*